

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN THE CASE OF REGINA BABALADE V. CITY OF ATLANTA, STATE COURT OF FULTON COUNTY, CIVIL ACTION FILE NO. 02VS34732, IN THE AMOUNT OF \$6,000.00. AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM 1A01 (GENERAL FUND) 529017 (ACCOUNT NUMBER- PROPERTY LIQUIDATION) T31001 CENTER (NON DEPARTMENTAL).; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, Regina Babalade v. City of Atlanta, is a case in which Plaintiff, Regina Babalade, sued the City alleging serious bodily injury sustained by her at or near property located at 785 Pearce Street, Atlanta, Georgia, due to a fall in a pothole that the City of Atlanta's failed to properly construct, repair and/or maintain roadway; and

WHEREAS, as a result of her injuries, Plaintiff contends she has suffered bodily certain costs and expenses and damages, including, but not limited to, physician, hospital and other medical expenses, trauma from the fall, impairment of bodily health and vigor, past and future mental anguish, and past and future pain and suffering; and

WHEREAS, the Plaintiff has offered to settle all claims against the City asserted in the lawsuit for the amount of \$6,000.00; and

WHEREAS, the City Attorney recommends this settlement because it is in the best interests of the City;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the City Attorney is authorized to settle all claims of Regina Babalade against the City of Atlanta, as set forth in Civil Action File No. 02VS034732, in the State Court of Fulton County, for \$6,000, and is authorized to execute a settlement agreement and any additional documents necessary to effectuate the settlement; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to pay to Regina Babalade, and her attorney, Thomas F. Jones, Esq. the sum of \$6,000.00 which shall be paid from 1A01 (General Fund) 529017 (Account Number- Property Liquidation) T31001 Center (Non Departmental)..

BE IT FINALLY RESOLVED that the settlement agreement will not be binding upon the City and the City will incur no liability under it until it has been executed by Regina Babalade and/or her counsel, the City Attorney, attested to by the Municipal Clerk and delivered to Regina Babalade.

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